

Of Counsel:
ALSTON HUNT FLOYD & ING
Attorneys At Law
A Law Corporation

PAUL ALSTON	1126-0
BRUCE H. WAKUZAWA	4312-0
GLENN T. MELCHINGER	7135-0
JASON H. KIM	7128-0

American Savings Bank Tower
1001 Bishop Street, 18th Floor
Honolulu, Hawai'i 96813
Telephone: (808) 524-1800
Facsimile: (808) 524-4591
Email: palston@ahfi.com
bwakuzawa@ahfi.com
gmelchinger@ahfi.com
jkim@ahfi.com

Attorneys for Plaintiffs
and Third-Party Defendants
the Sports Shinko Companies

1. IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

SPORTS SHINKO CO., LTD.,	)	CV 04-00124 ACK-BMK
	)	CV 04-00127 ACK-BMK
Plaintiff,)	
	)	CONSOLIDATED CASES
vs.)	
	)	DECLARATION OF
QK HOTEL, LLC, et al.,	)	JERRY KIMOTO;
	)	SUPPLEMENTAL
Defendants,	)	EXHIBIT "79" IN SUPPORT
	)	OF PLAINTIFF'S
and	)	MEMORANDUM IN
	)	OPPOSITION TO THE KG

FRANKLIN K. MUKAI, et al.,)	PARTIES' MOTION FOR SUMMARY JUDGMENT, FILED MAY 10, 2007, FILED AUGUST 24, 2007; CERTIFICATE OF SERVICE
)	
Third-Party Plaintiffs,)	
)	
vs.)	
)	
SPORTS SHINKO (USA) CO.,)	
LTD., et al.,)	
)	
Third-Party)	
Defendants,)	
)	
and)	
)	
SPORTS SHINKO (HAWAII) CO.,)	
LTD., et al.,)	
)	
Third-Party Defendants/ Counterclaimants,)	
)	
vs.)	
)	
QK HOTEL, LLC, et al.,)	
)	
Third-Party Counterclaim Defendants.)	
)	
AND CONSOLIDATED CASES)	

DECLARATION OF JERRY KIMOTO

Pursuant to 28 U.S.C. § 1746, I declare that:

2. I make this Declaration based on my personal knowledge and am competent to testify as to the matters set forth herein.

3. I have been employed by the Ocean Resort Hotel Waikiki (the "ORH") since 1987. I started as the head accountant, and after Sports Shinko (Waikiki) Corporation purchased the ORH in 1990, I was promoted to Assistant General Manager ("AGM"). I remained ORH's AGM until the hotel was transferred to the KG companies in 2002.

4. My duties for the ORH in 2001 and 2002 as AGM included, among other things, preparing the budget for the ORH and monitoring day to day operations of anything involving financial aspects that affected the budget. I was also involved in preparing weekly sales flash reports which were sent to Sports Shinko in Japan.

5. Attached as Ex. "79" is a true and correct copy of a Sales Staff Meeting Agenda dated March 19, 2001 that I created. I created this document at or near the time of the meeting and kept it in the course of the ORH's regularly conducted business activity. It

was the regular practice of the ORH to make this type of document.

*I declare under penalty of perjury that the foregoing is true
and correct.*

Executed in Honolulu, Hawai'i on ~~September~~ ^{OCTOBER} 16, 2007.


JERRY KIMOTO